

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Roback, et al.

Serial No. 09/773,826

Filed: January 31, 2001

For: **Immunological Assay System and Method**

Group Art Unit: 1743

Examiner: Latoya Cross

Confirmation No.: 7152

**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed September 20, 2005 finally rejecting claims 1 - 4, 5, 8, 9, 11 and 25 - 28.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, Virginia 22313-1450

Date: January 17, 2006

Belinda K. Weiss
Belinda K. Weiss

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The item(s) checked below are appropriate:

1. **Status Of Applicant**

This application is on behalf of

- ☐ other than a small entity
☒ small entity

2. **Fee For Filing Notice Of Appeal**

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

- ☒ small entity \$250.00
☐ other than a small entity \$500.00

Notice of Appeal Fee Due \$250.00

3. **Extension Of Term**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
<input checked="" type="checkbox"/> one month	\$ 120	\$ 60
<input type="checkbox"/> two months	\$ 450	\$ 225
<input type="checkbox"/> three months	\$1,020	\$ 510
<input type="checkbox"/> four months	\$1,590	\$ 795
<input type="checkbox"/> five months	\$2,160	\$1,080

Fee: \$ 60.00

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for _____ has already been secured and the fee paid therefore of _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$60.00

or

- (b) ☐ Applicant believes that no extension of time is required.

4. **Total Fee Due**

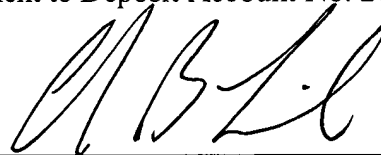
The total fee due is:

Notice of Appeal Fee	\$250.00
Extension Fee (if any)	\$60.00

TOTAL FEE DUE \$310.00

- ☒ Attached is a check in the sum of \$310.00
- ☐ The Commissioner is hereby authorized to charge \$ to cover the payment of the fee(s) indicated below to Deposit Account No.
- ☒ The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) to Deposit Account No. 20-0778. The Commissioner is requested to credit any overpayment to Deposit Account No. 20-0778.

Date: 1/17/06



Christopher B. Linder – Reg. No. 47,751

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